

IDAHO DIVISION OF BUILDING SAFETY
POLICY WITH RESPECT TO ENFORCEMENT

Re: IDAPA 07.03.01.004

Rules of Building Safety

Applicable Building Codes

IDAPA 07.03.01.004, adopting the 2006 editions of the International Building, Residential, and Energy Conservation Codes, was duly promulgated by the Building Code Board and became effective on adjournment of the legislative session. Unfortunately, implementation of the provisions of these codes has proved problematic, with practical implications for the construction industry as well as the state and local enforcement agencies. In addition, local jurisdictions that have adopted their own code enforcement programs must now consider the ramifications of these codes on those programs.

Industry-related concerns, specifically the sprinkler requirements for some occupancy levels as set forth in the 2006 Edition of the International Building Code, have been the subject of much discussion. Earlier in the session, industry representatives indicated that a legislative proposal would be introduced to address the identified concerns. Had such a proposal been enacted, the rules would not have been approved. When the proposal was not forthcoming, the duly promulgated rules were approved by legislative action.

Unfortunately, the concerns of industry and local enforcement officials remain unresolved. At this point, the Division of Building Safety is being asked to take steps to address these concerns. In order to do so, the Division considered several possible courses of action.

In an attempt to address the concerns that have been raised, the Division of Building Safety has determined that it will commence immediate enforcement of the 2006 International Building, Residential, and Energy Conservation Codes, as set forth in IDAPA 07.03.01.004, with one exception. The exception is that, with respect to enforcement of the International Building Code, fire sprinkler systems shall not be required in fire areas containing Group R-2 occupancies where the building contains four or fewer dwelling units or sleeping units where such requirements are based only on the Group R occupancy classification.

Any questions or concerns regarding the implementation of this policy should be referred to C. Kelly Pearce, Administrator, Division of Building Safety. This policy is adopted the date set forth below and will remain in full force and effect until such time as IDAPA 07.03.01.004 is revised or rescinded or otherwise amended either by rule or by statute.

DATED: April 23, 2007

C. Kelly Pearce, Administrator
Division of Building Safety